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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/495,105 02/01/00 MCCLOY

G 8044-000026 (

EXAMINER

MMC2/0129

Harness Dickey & Pierce PLC
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Bloomfield Hills MI 48303

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ART UNIT

PAPER NUMBER

2875
DATE MAILED:

01/29/01

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary

Application No.
09/495,105

Applicant(s)
McCloy et al

Examiner
Thomas M. Sember

Group Art Unit
2875



☒ Responsive to communication(s) filed on Jun 12, 2000

☐ This action is **FINAL**.

☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 3 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

Disposition of Claims

☒ Claim(s) 1-40 is/are pending in the application.

Of the above, claim(s) _____ is/are withdrawn from consideration.

☐ Claim(s) _____ is/are allowed.

☒ Claim(s) 1-40 is/are rejected.

☐ Claim(s) _____ is/are objected to.

☐ Claims _____ are subject to restriction or election requirement.

Application Papers

☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on _____ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☐ All ☐ Some* ☐ None of the CERTIFIED copies of the priority documents have been
☐ received.

☐ received in Application No. (Series Code/Serial Number) _____.

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

☒ Notice of References Cited, PTO-892

☒ Information Disclosure Statement(s), PTO-1449, Paper No(s). 5

☐ Interview Summary, PTO-413

☐ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

--- SEE OFFICE ACTION ON THE FOLLOWING PAGES ---

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Claim Rejections - 35 USC § 112

1. Claims 4-7, 18-20, 28 and 36-37 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

1.) The alternative language of claims 4-7, 18-20, 28 and 36-37 are vague and indefinite.

As best understood the following prior art rejections apply:

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-22, 24-32 and 34-40 are rejected under 35 U.S.C. 102(b) as being anticipated by Pastrick '305, '306, '704, '705 and '654. Pastrick '305, '306, '704, '705 and '654 discloses an exterior rear view mirror having a housing adapted to be secured to an outer surface of a motor vehicle and having a generally rearwardly facing opening. A reflective mirror is disposed within the opening. A bezel is disposed in proximity to a portion of a lower transverse surface of the housing, the bezel has an opening for projecting light. A light transmitting lens is formed in the

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bezel and a light source assembly having a light source generates light projected through the opening in the bezel, the light source is operable to provide a signal light visible through the light transmitting lens.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 1-23, 25-33 and 35-40 are rejected under 35 U.S.C. 102(b) as being anticipated by Yamada. Yamada discloses an exterior rear view mirror having a housing adapted to be secured to an outer surface of a motor vehicle and having a generally rearwardly facing opening. A reflective mirror is disposed within the opening. A bezel is disposed in proximity to a portion of a lower transverse surface of the housing, the bezel has an opening for projecting light. A light transmitting lens is formed in the bezel and a light source assembly having a light source generates light projected through the opening in the bezel, the light source is operable to provide a signal light visible through the light transmitting lens. The bezel is fastened to the housing via thread means 29.

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6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thomas M. Sember whose telephone number is (703) 308-1938. The examiner can normally be reached on Monday - Thursday from 8:00 AM - 5:00 PM. The examiner can also be reached on alternate Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sandra O'Shea, can be reached at (703) 305-4939. The fax phone number for this group is (703) 308-7724.

Any inquiries of a general nature or relating to the status of this application should be directed to the group receptionist whose telephone number is (703) 305-4900.



Thomas M. Sember

Primary Examiner

January 22, 2001